IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.636 OF 2006

Tarbez Azim Mansuri ...Petitioner
Vs.
The State of Maharashtra & Ors. ...Respondents

Mr. Shreeram Shirat for the Petitioner
Mrs. U.V. Kejriwal, A.P.P for the State

CORAM: SHRI J.N.PATEL &
SMT. ROSHAN DALVI, JJ.
DATED: 24TH AUGUST, 2006

P.C.

1. The Petitioner seeks directions of this Court to Respondent No.1 to protect the life of the Petitioner, not to arrest him without giving him 48 hours notice and if at all he is arrested, then they should be directed to follow the guidelines laid down by the Apex Court from time to time, to make it short as per directions issued in case of D.K. Basu's. In our opinion such orders are not required to be passed by the Court as the police is bound to follow the directions issued by the Hon'ble Supreme Court in D.K. Basu's case and in case they commit breach of any of the directions or guidelines, they can be hauled by this Court for contempt. So in case the Petitioner is arrested and the Police Officers of

the concerned police station causing the arrest do not follow the guidelines of the Hon'ble Supreme Court issued in D.K. Basu's case, a contempt proceeding can be initiated against the concerned officer.

2. So far as the other reliefs sought for by the Petitioner that he should be given 48 hours notice before causing his arrest, we are afraid that any such relief can be granted in favour of the Petitioner as he can very well approach the competent Court if he apprehends that he is likely to be arrested on a charge of having committed cognizable offence he can apply for pre-arrest bail from competent Court of Law.

(SMT.ROSHAN DALVI, J.) (SHRI. J.N. PATEL, J.)